

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ROBERTO CAMACHO PATINO,

Defendant.

8:03CR33

ORDER CONTINUING TRIAL

This matter is before the court on the government's motion to continue trial (#41), which is now set for August 30, 2005. Although counsel requested a continuance to September 6, 2005, that setting is not available. Therefore, for good cause shown, trial of this matter will be continued to the next available setting, i.e., September 13, 2005.

IT IS ORDERED that defendant's MOTION FOR CONTINUANCE (#41) is granted, as follows:

1. The trial of this case is continued to **Tuesday, September 13, 2005** before Judge Laurie Smith Camp and a jury.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **August 30, 2005 and September 13, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because failure to grant the motion would unreasonably deny the government continuity of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED August 2, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge